

## Town of Lake Santeetlah

### Council Meeting Minutes

**February 16, 2016**

Mayor Crabtree called the meeting to order at 10:00 AM. Vice Mayor Jim Hager and Councilmembers Bob Wehr, John Garland and Connie Gross were present for the meeting. Town Administrator Kim Matheson, Clerk Emily Hooper and Public Works Technician Eric Hayes were also present for the meeting.

The first order of business was the approval of the agenda. Councilmember Jim Hager requested that the proposal from UCB regarding a credit card machine for the collection of payments in Town Hall be added as New Business #7. Councilmember Connie Gross has inquired on a questionable portion of property that seems to be within Town boundaries according to the Tetra Tech Study Map. This was added as item #8 under New Business. With all the changes added Councilmember Gross made motion of approval. Councilmember Bob Wehr seconded. All others approved, the motion carried.

After a review of the January 19, 2016 Council Meeting minutes no changes or corrections were needed. Jim Hager made a motion of approval. Bob Wehr seconded. All others agreed. The motion carried.

**Financial Report:** Finance Officer Jim Hager explained that the projected budget totals were accurate assuming the anticipated expenses, for the remaining of this fiscal year. Work will begin next week on a proposed budget for the upcoming year that will be presented at the budget hearing in May. Town Administrator Kim Matheson contacted Vic D'Amato, a representative from Tetra Tech, and he agreed to expand the project if requested into the next fiscal year. This will enable the expense to be stretched out avoiding such a decrease in cash flow through the remaining of this year.

#### **Request for Public Comment:**

There were no requests for comment at this time.

#### **Old Business**

**#1 Water Meter Bids/Questions for McGill:** After the review of each bid and the questions of the Council were submitted to Harry Buckner, engineer for McGill & Associates, it is clear that there were some discrepancies in the specifications that were sent to the bidders. The four bids received varied 40,000 from lowest to highest. Since the bid opening we were contacted by the high bidder, Master Meter stating that their price included the installation of the meters. The low bidder, Badger Meter stated that their price neglected to include the software for billing. It was concluded that it wasn't clear to each bidder what was requested. The plan to move forward in the purchase of new water meters is to contact McGill asking that a new and accurate specification be issued with the most cost effective equipment requested for bidding. Councilmember John Garland made a motion to request this clear specification from McGill identifying what the Town wishes to purchase. AMR meters, software, one computer system, and yearly fees. No installation or separate computer system for the office should be included. This service from McGill is requested at no additional cost to the Town. Councilmember Bob Wehr amended the motion by suggesting that the specification be sent to more than four companies expanding the opportunity for lower prices and scheduling a meeting with Harry Buckner as soon as

possible to receive clarification among all involved. If McGill is not willing to amend the specification at no extra cost all four bids will be rejected. Councilmember Jim Hager seconded. All others agreed. The motion carried.

### **New Business**

**#1 Approval of Building Application for 741 Black Bear Trail:** Mr. Hornsby is reconstructing an existing garage that has aged and is in need of repair. The construction does exceed set back limits but no further than the current structure, and he has the approval of his neighbor for the renovations. Councilmember Bob Wehr made a motion to approve the building application. Connie Gross seconded. All others approved. The motion carried.

**#2 Proposal to Graham County Building Inspector:** Mayor Crabtree reviewed the request that the Town Council would like to propose to Graham County Commissioners. Mayor Crabtree has spoken with David Hyatt and he is willing to issue "Stop Work Orders" for the town of Lake Santeetlah if directed to by his Board of Commissioners. At this time the Town has its own building application that has separate restrictions than the application received from the County. Hyatt can enforce Stop Work Orders for those who are non-compliant within the County. The request is for Mr. Hyatt to be able to do the same for the Town if there is an issue of non-compliance. Councilmember John Garland informed the Council that this request may not result in a response from a non-licensed contractor in the State of North Carolina. No action can be taken for those working without a license that would cause them to stop work simply due to a Stop Work Order. It would however cause a contractor who holds a license in North Carolina to respond as he would be in danger of having his license removed. The Council will continue to research this idea and seek legal advice from attorney M. Ellen Davis.

**#3 Annual Contribution to Nantahala Regional Library:** After much discussion of library staff and the neglect of the Library Board to make changes the Town has decided to withdraw from the 10 year contract. Mayor Crabtree submitted a letter for review that informed the library of the decision to withdraw. Some minor changes of the letter were recommended to simply clarify that it is the Town's intention to withdraw from the contract from July 2017 forward. Contributions from that point will be made if the budget allows. Councilmember Connie Gross made a motion to make the corrections and then sign and send the letter to the library. Roger Carlton suggested that copies of the letter be sent to the Graham County representatives to the Library Board (The letter is attached and made part of these minutes). Councilmember Jim Hager seconded. All others approved. The motion carried.

**#4 Appointment of Council Member to Southwestern RPO Board/Bob Wehr:** Councilmember Bob Wehr agreed to be the appointed member from the Town of Lake Santeetlah to the RPO Board. Mayor Crabtree is also a member of the Board. Councilmember John Garland made a motion to appoint Mr. Wehr to the board. Jim Hager seconded. All others agreed. The motion carried.

**#5 Repairs/Maintenance throughout the Town:** We have a dry/erase board displayed in Town Hall that lists all the areas in need of repair throughout the Town. This list will be prioritized and referred to when creating the budget for the next fiscal year. One item on the list is a drainage pipe at Mary Williams' residence. During the debate between Williams and Jett regarding the addition at Williams' residence the application was approved with the stipulations that Williams would follow the process through completion of construction. It was requested that staff confirm that the Town is responsible for covering that pipe or if that was included in the agreement with Williams as one of her responsibilities. Staff will

check the previous minutes and recordings to clarify. This item will remain on the list or be removed after it is determined. Additional items can be added to the list as needed.

**#6 Renewal of Contract for Lamar Williams:** Lamar Williams, the Town Water Operator, works under a five year contract that is currently up for renewal. Williams agreed to work under the same terms and conditions as the previous term. The contract was updated and Councilmember John Garland made a motion to approve the contract. Connie Gross seconded. All others agreed. The motion carried.

**#7 Proposal for Credit Card Machine from UCB:** Town Administrator Kim Matheson displayed the proposal from UCB for the credit card machine and explained that the fees vary according to the type of card and if the individual is present or calls in to make a payment. Over the last year there have been an increasing number of customers who call and ask to pay their water bill by card over the phone rather than mailing a check. John Garland shared that he had recently updated his business machines and had his old one that the Town could have if compatible. Kim Matheson will confirm that the machine will work for our use. Councilmember Connie Gross made a motion to move forward accepting credit card payments with the use of Mr. Garland's machine. Councilmember Bob Wehr suggested that we search other areas to assure we are getting the lowest fees. Mr. Wehr seconded the motion. All others agreed. The motion carried.

**#8 Questionable Town Property:** Councilmember Connie Gross shared a finding from the Tetra Tech study map of a piece of property across from the guard house. According to the map this property is included within Town boundaries. As of now the Town is not receiving any tax revenue for this property nor is it listed on the official Town Map. Mayor Crabtree suggested that the information acquired be taken to surveyor Alan Carver so he can confirm that the property is or is not within the Town. Councilmember Connie Gross offered to take the information to Mr. Carver.

### **Discussion Items**

**#1 Report of Past Due Water Collection:** Terry Ferguson is the only customer remaining that has not made a payment toward the past due balance. Ferguson has been contacted and has committed to set up a payment plan to pay his water bill, but no payment has been made at this time. Jose Rosado has not responded to our attempts to contact him. His water is currently locked until payment is received. Within the next month the remaining of the past due water bills can be totaled and written off following legal procedure.

Mayor Crabtree requested a motion to recess the meeting for approximately thirty minutes. Councilmember Jim Hager made a motion for recess. Bob Wehr seconded. All others agreed. The motion carried.

Councilmember Jim Hager made a motion to come out of recess and return to the regular meeting. Bob Wehr seconded. All others agreed. The motion carried.

Mayor Crabtree asked that he now have a motion to move into Closed Session. Councilmember Jim Hager made the motion pursuant to the provisions of North Carolina general Statute 143-318.11 (a) (3) and 143-318.11 (c), I move that the Council for the Town of Lake Santeetlah go into closed session to receive advice from M. Ellen Davis, Attorney for the Town of Lake Santeetlah, which advice comes

within the purview of the attorney-client privilege. The advice will be general legal advice about legal issues or legal matters and will not be advice or discussion pertaining to a particular pending lawsuit. Bob Wehr seconded. All others agreed. The motion carried.

Councilmember Connie Gross made a motion to move from Closed Session back into the regular meeting. Jim Hager seconded. All others agreed. The motion carried.

Mayor Crabtree announced that no action was taken at today's Closed Session simply advice from the attorney of how to proceed.

### **Announcements**

Mayor Crabtree announced that the next Planning meeting would be March 10, 2016 and Council meeting March 15, 2016 both at 10:00AM. A Land Use workshop will follow the March Planning meeting at 2:00PM.

With no further business at this time Councilmember Jim Hager made a motion to adjourn the meeting. Connie Gross seconded, all others agreed. The motion carried. Mayor Crabtree adjourned the meeting at 2:20PM.

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Robert P. Crabtree, Mayor

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Emily Hooper, Town Clerk